

IN RE: PETITION FOR VARIANCE
NE/Corner York & Murdock Roads
(6801 York Road)
9th Election District
4th Councilmanic District

David Cohen
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY

* Case No. 95-54-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 6801 York Road, located in the Anneslie area of Towson in Baltimore County. The Petition was filed by the owner of the property, David Cohen, and the Contract Purchaser/Lessee, Ken Gore. The Petitioners seek relief from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit six (6) parking spaces (2 of which are for employee parking) in lieu of the required nine (9) spaces, to permit a street right-of-way setback of 4 feet in lieu of the required 10 feet for an existing space, and to permit the existing parking spaces with no back-up area for dead-end spaces. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Ken Gore, Contract Purchaser/Lessee. Appearing as an interested party in the matter was Carol Currotto, who appeared and testified on behalf of the Anneslie Community, Inc.

Testimony and evidence offered revealed that the subject property is located at the northeast corner of York Road and Murdock Road and consists of a gross area of 0.1909 acres zoned B.L.-C.N.S. The property is improved with a one-story dry cleaning business and associated parking.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Testimony indicated that the Petition was filed to legitimize the addition of a storage area to the rear of the existing building and current parking conditions on the property. Mr. Gore testified that he has operated the Lord Baltimore Dry Cleaners business on the subject property for the past four years. Mr. Gore currently pays rent on the property but has the option to buy at some future date. Presently, there are six parking spaces provided on site, two of which are utilized by employees. Testimony indicated that additional customer parking is available on Murdock Road and Locust Drive, both of which are immediately adjacent to the property.

Ms. Carol Currotto, offering testimony on behalf of the Anneslie Community, Inc., testified and submitted the concerns of her community in writing. Ms. Currotto testified that the community is not opposed to the reduction in the number of parking spaces provided on this site. She testified that the dry cleaning business by its very nature needs only to provide short term parking. Ms. Currotto testified that patrons of the business tend to stop in long enough to either drop off or pick up their laundry. Thus in her opinion, the number of parking spaces provided is sufficient, considering that off-site parking is available on both Murdock Road and Locust Drive. Ms. Currotto testified that the Anneslie Community, Inc. is opposed, however, to parking space No. 4 as it is shown on the site plan identified herein as Petitioner's Exhibit 1. Ms. Currotto stated that the community association believes this space is a hindrance to the free flow of traffic along Murdock Road to York Road and that individuals using this space will pull head-in and back out into traffic on Murdock Road. Ms. Currotto believes that this space should be eliminated and that the Petitioners should be granted a variance for five (5) parking spaces in lieu of the required nine (9). Ms. Currotto also suggested that the

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Date

By

curb along Locust Drive at this site be eliminated to allow customers to access the subject property through Locust Drive.

After considering the testimony offered by Ms. Currotto on behalf of the Anneslie Community, Inc., I concur that parking space No. 4 should be eliminated in its entirety. Accordingly, I will grant a variance for five (5) parking spaces, only, and will deny the request to permit parking space No. 4 to be located 4 feet from the street right-of-way in lieu of the required 10 feet. Furthermore, in place of parking space No. 4 and as a condition of this Order, the Petitioners shall be required to install concrete planters along that area to prevent any customer from using this area as a parking space. The other on-site parking spaces shall be permitted to remain as depicted on Petitioner's Exhibit 1.

As to using Locust Drive as an access point to the subject site, I believe this would not be a feasible solution to the parking situation on this property. I believe the curb should remain in tact along Locust Drive and that parking as depicted on the site plan is acceptable as a parking plan for the Lord Baltimore Cleaners, with the exception of the elimination of parking space No. 4 as noted above.

In addition to the variance requested to the number of parking spaces required for this site, the Petitioners have also requested that the parking spaces have no back-up area for the dead-end spaces shown on the plan. Given the site constraints associated with this property, the relief requested should be permitted. Furthermore, the two employee parking spaces have limited use. Generally speaking, employees will park there in the morning and not leave until the end of the day. Thus, there is not a lot of traffic generated by the use of those two employee spaces.

COPIES RECEIVED FOR FILING
11/23/04
10/23/04

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance relief sought, as modified herein, is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the granting of this relief will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of November, 1994 that a variance from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit five (5) parking spaces in lieu of the required nine (9) spaces, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED THAT THE Petition for Variance seeking relief from Section 409.6 and 409.8 of the B.C.Z.R. to allow the existing parking spaces with no back-up area for dead-end spaces, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

11/23/94
J. B. J.

2) The Petitioners shall eliminate parking space No. 4 depicted on Petitioner Exhibit 1 and in its place, install concrete planters to prevent any customers from utilizing this area as a parking space. These planters shall border the drive-thru driveway and shall be located in such a way that they will prevent any vehicles from pulling into this parking space.


3) The Petitioner's shall plant and maintain the two street planters along York Road with trees and ground cover to prevent trash and debris from accumulating inside the planters. The tree planters as well as that area depicted on the site plan as containing flowers shall be regularly maintained and kept free of weeds, trash and debris. In addition, all trash and debris shall be routinely removed from the premises.

4) Within thirty (30) days of the date of this Order, the Petitioners shall prepare and submit for review and approval by the Office of Planning and Zoning a detailed screening plan for the dumpster on the property.

5) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit six (6) parking spaces (2 of which are for employee parking) in lieu of the required nine (9) spaces, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 409.6 and 409.8 of the B.C.Z.R. to allow a street right-of-way setback of 4 feet in lieu of the required 10 feet for an existing space, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 23, 1994

(410) 887-4386

Mr. Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
NE/Corner York & Murdock Roads
(6801 York Road)
9th Election District
4th Councilmanic District .
David Cohen- Petitioner
Case No. 95-54-A

Dear Mr. Gore:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. David Cohen
74 River Oaks Circle, Baltimore, Md. 21208

People's Counsel

File





Petition for Variance

75-54-A
to the Zoning Commissioner of Baltimore County

for the property located at

6801 York Rd

which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6, 409.8

To allow 6 existing parking spaces (2 of which are for employee parking) in lieu of the required 9; to allow a 4ft. setback to the street right-of-way (for an existing space) in lieu of the required 10ft. & to allow existing spaces with no back-up area for dead end spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The existing Building has been this way since the 1940's

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee

KEN GORE

732-2700

(Type or Print Name)

Ken Gore

Signature

3710 E. Baltimore St.

Address

Balto

City

MD

State

21224

Zipcode

Attorney for Petitioner

(Type or Print Name)

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s).

DAVID COHEN

(Type or Print Name)

David Cohen

Signature

(Type or Print Name)

Signature

74 RIVER OAKS CIRCLE

Address

City

Balto MD

State

Phone No

21208

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 8-11-94



Printed with Soybean Ink
on Recycled Paper

ORDER RECEIVED FOR FILING

Date

By

95-54-A

55

BEING known and designated as Lot Nos. 9 and 10 in Block "A" as shown on the Plat entitled "Map of ANNESLIE" which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 40. The improvements thereon being known as No. 6801 York Road.

BEING the same lot of ground as described in a Deed dated June 23, 1931 and recorded among the Land Records of Baltimore County in Liber 882, folio 77 from The Franklin Realty and Finance Co., Inc. to Carroll D. Cook. The said Carroll D. Cook having departed this life on or about 4th day of November, 1939 and by virtue of Item Six of his Last Will and Testament dated July 23, 1930, the said Carroll D. Cook did devise and bequeath the fee simple interest in and to the aforesaid property unto Irene A. Trieschman, the said Irene A. Trieschman having departed this life on or about the 28th day of January 1975 and by virtue of Item Seventh of her Last Will and Testament dated February 14, 1941 did devise and bequeath the subject property unto Union Trust Company of Maryland, Trustee with full power.

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-54-A (Item 65)
6801 York Road NEC
York and Murdock Roads
9th Election District
4th Councilmanic
Legal Owner(s):
David Cohen
Contract Purchaser(s):
Ken Gore
HEARING: TUESDAY,
SEPTEMBER 27, 1994 at
9:00 a.m. in Rm. 118, Old
Courthouse.

Variance: to allow 6 existing parking spaces (2 of which are for employee parking) in lieu of the required 9; to allow a 4-foot setback at street right-of-way (for an existing space) in lieu of the required 10 feet; and to allow existing spaces with no back-up area for deadend spaces.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

8/268 August 25.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/26, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,

A. H. Henderson
LEGAL AD. - TOWSON

~~Publication~~



Public Works Commission
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Baltimore, Maryland 21201

receipt
 95-54-A

Account: R-001-6150

Date 8-11-94

Item Number 5.5

Taken by [signature]

Owner David Cohen

Site: 6801 York Rd.

#020

Commercial Variance

2.50

#080

Sign & Posting

35.00

\$ 37.50

RECEIVED

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 55

Petitioner: Cohen

Location: 6801 York Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Ken Gore

ADDRESS: 3710 E. Baltimore ST
BALTO, MD, 21224

* PHONE NUMBER: 732-2700

*MUST BE SUPPLIED

1 1 1 04/09/03

MICROFILMED

TO: PUTIXENT PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:

Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224
732-2700

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-54-A (Item 55)
6801 York Road
NEC York and Murdock Roads
9th Election District - 4th Councilmanic
Legal Owner(s): David Cohen
Contract Purchaser(s): Ken Gore
HEARING: TUESDAY, SEPTEMBER 27, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to allow 6 existing parking spaces (2 of which are for employee parking) in lieu of the required 9: to allow a 4-foot setback to street right-of-way (for an existing space) in lieu of the required 10 feet; and to allow existing spaces with no back-up area for deadend spaces.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

AUG. 19 1994

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-54-A (Item 55)
6801 York Road
NEC York and Murdock Roads
9th Election District - 4th Councilmanic
Legal Owner(s): David Cohen
Contract Purchaser(s): Ken Gore
HEARING: TUESDAY, SEPTEMBER 27, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to allow 6 existing parking spaces (2 of which are for employee parking) in lieu of the required 9; to allow a 4-foot setback to street right-of-way (for an existing space) in lieu of the required 10 feet; and to allow existing spaces with no back-up area for deadend spaces.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: David Cohen
Ken Gore

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEP. 07 1994

Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224

RE: Item No. 55, Case No. 95-54-A
Petitioner: David Cohen/Ken Gore

Dear Mr. Gore:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 11, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Coordinator

WCR:ggs



Printed with Soybean Ink
on Recycled Paper

95-54

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 29, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 29, 1994
Item No. 55

The Developers Engineering Section has reviewed the subject zoning item. Parking for this site should be buffered from the street to the extent possible.

RWB:sw

RECEIVED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-19-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 755 (JSS)

95-54

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Gwen Stephens, ZADM

DATE: August 26, 1994

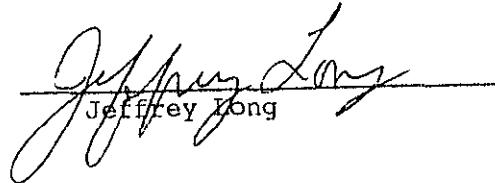
FROM: Jeffrey Long
Office of Planning & Zoning

SUBJECT: Zoning Advisory Comments

Please be advised that additional time is required to review the following
Petitions:

ITEM NOS. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60,
and 61.

Please contact me if you have any questions or require additional information.


Jeffrey Long

JL:bjs

RECEIVED

AUG 29 1994

ZADM

STEPHENS.JL/PZONE/ZAC1

MICROFILMED

Tim 9/27
9/5/94

BALTIMORE COUNTY, MARYLAND

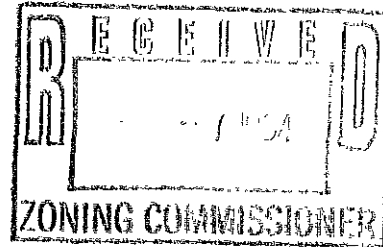
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 30, 1994

SUBJECT: 6801 York Road



INFORMATION:

Item Number: 55

Petitioner: David Cohen

Property Size: _____

Zoning: B.L.-A.S.

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The site in question is within the Towson Community Plan area, along the York Road corridor in an area designated as Urban Center/Employment area. The adjacent residentially zoned property is within a Community Conservation area -- Outer Neighborhood.

It appears that the Variances requested are needed due to a proposed addition on the rear of the building; the parking spaces setback four feet from the right-of-way in lieu of ten feet are existing.

The tree planters along the York Road frontage were part of a county streetscape program. The property owner should maintain the two planters, keeping them free of weeds, trash and debris. A ground cover planted in the planters would help eliminate some problems, but routine maintenance is still needed. The grassy strip along Murdock Road is not well maintained and should be cut and weeded.

There is a large dumpster at the southeast corner of the parking lot and Murdock Road that is not shown on the plan and is not screened. A screening detail should be provided.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL:lw

ZAC.55/PZONE/ZAC1

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 9, 1994

Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224

RE: Case No. 95-54-A, Item No. 55
Petitioner: David Cohen/Ken Gore

Dear Mr. Gore:

Enclosed are copies of comments received from Office of Planning and Zoning on September 7, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Joyce Watson

Enclosure



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 30, 1994

SUBJECT: 6801 York Road

RECEIVED
SEP 8 1994

ZADM

INFORMATION:

Item Number: 55
Petitioner: David Cohen
Property Size: _____
Zoning: B.L.-A.S.
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site in question is within the Towson Community Plan area, along the York Road corridor in an area designated as Urban Center/Employment area. The adjacent residentially zoned property is within a Community Conservation area -- Outer Neighborhood.

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There is a large dumpster at the southeast corner of the parking lot and Murdock Road that is not shown on the plan and is not screened. A screening detail should be provided.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL:lw

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner
 Deputy Zoning Commissioner

FROM: John J. Sullivan
 Planner II

SUBJECT: Commercial Variance Petition
 Item 55

August 11, 1994

Mr. Kenneth Gore came in today as the applicant for this petition. I informed Mr. Gore that sealed site plans and sealed descriptions were required as stated in our commercial booklet hand-out which Mr. Gore had a copy. Mr. Gore requested that his paperwork be submitted as is.

JJS:kj

Baltimore County Government
Department of Public Works

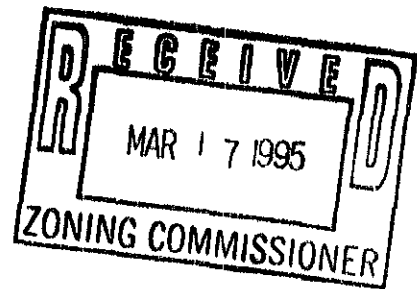


111 West Chesapeake Avenue
Towson, MD 21204-4604

March 17, 1995

Mr. Ken Gore
3710 E. Baltimore Street
Baltimore, MD 21224

Reference: Lord Baltimore Cleaners
6801 York Road
Landscape Requirements
Case #95-54-A



Dear Mr. Gore:

This is a follow up to our recent phone conversation.

Mr. Timothy Fitts, our Zoning Inspector for this case, asked me to evaluate the status of compliance with condition numbers 2, 3, 4, and 5 of Case #95-54-A.

After consulting with you, Timothy Fitts, the Zoning Commissioner - Mr. Timothy M. Kotroco, Ms. Carol B. Currotto of the Anneslie Community Homeowner Association, and the subject Zoning Order, it is determined that the following actions would satisfy the requirements.

1. Relocate the dumpster up against the rear of the building as we discussed. Screening it will not be feasible as access would be hindered. If it is painted a dark, neutral color as we discussed and no debris is placed around it, it should look "OK". The Zoning Commissioner said that placing the dumpster in the parking space is "OK" and no additional paper work is needed.
2. The issue of blocking access to parking space #4 can be resolved easily and inexpensively. Have Genstar drop a decorative boulder there or construct a simple timber pyramid. Trying to keep a plant alive in a pot would be more trouble than it is worth.

MICROFILMED



Mr. Ken Gore
Page 2
March 17, 1995

We all appreciate your cooperation in this matter.

Respectfully yours,



E. Avery Harden, R.L.A.
Landscape Coordinator
Developers Engineering Section

EAH:jrb

cc: Mr. Timothy Fitts, Zoning Enforcement

✓ Mr. Timothy Kotroco, Zoning Commissioner

Ms. Carol B. Currotto, Anneslie Community, 721 Murdock Road, Baltimore,
MD 21212

File

EAH10

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Baltimore County Government
Department of Public Works



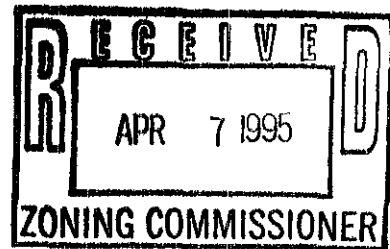
111 West Chesapeake Avenue
Towson, MD 21204-4604

CERTIFIED MAIL

April 5, 1995

Mr. Ken Gore
3710 E. Baltimore Street
Baltimore, MD 21224

Reference: Lord Baltimore Cleaners
6801 York Road
Zoning Order Conformance
Case #95-54-A



Dear Mr. Gore:

This is a follow up of this office's March 17, 1995 letter to you.

This office failed to put a deadline on the required conformance. The Zoning Order also required several additional items this office failed to specify. The deadline is now set for May 1, 1995. The following conditions must be met.

1. Locate the dumpster up against the rear of the building as we discussed and as you already agreed to do. It should be painted black or dark green as you already suggested you would do.
2. Eliminate the markings on the pavement and building of the plan designated "Parking Space #4". A large decorative planter must be placed in the parking space in order to block vehicle access to it. The planter's dimensions must be a minimum of 3'x3'x21/2'. English Ivy or some other vigorous evergreen planting must be installed and maintained in the planter.

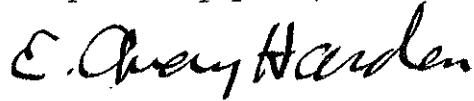
The planter requirement is part of the subject Zoning Order and supersedes our previous recommendation of a "railroad tie pyramid" or "boulder".



Mr. Ken Gore
Page 2
April 5, 1995

Again, the deadline for conformance with the Order for Case #95-54-A is May 1, 1995. We are hopeful for your voluntary compliance in this matter.

Respectfully yours,

A handwritten signature in cursive script that reads "E. Avery Harden".

E. Avery Harden, R.L.A.
County Landscape Architect

EAH:jrb

cc: Timothy Fitts, Zoning Enforcement
Timothy Kotroco, Zoning Commissioner
File

EAH16.

RE: PETITION FOR VARIANCE * BEFORE THE
6801 York Road, NEC York and Murdock * ZONING COMMISSIONER
Roads, 9th Election District, 4th *
Councilmanic * OF BALTIMORE COUNTY
David Cohen *
Petitioners * CASE NO. 95-54-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to David Cohen, 74 River Oaks Circle, Baltimore, MD 21208, Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

INTEROFFICE CORRESPONDENCE

Date: May 23, 1995

SUBJECT: Lord Baltimore Cleaners - Noncompliance
6801 York Road
Case #95-54-A

I recommend that this case be put before the Zoning Commissioner again for a fresh clarification on how to proceed.

E. Avery Harden

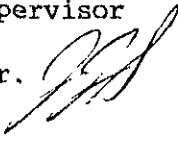
EAH35

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 5, 1996

TO: James H. Thompson
Code Enforcement Supervisor

FROM: John J. Sullivan, Jr. 
Planner II
Zoning Review

SUBJECT: Zoning Case #95-54-A (Building Permit #B-205920)

Per our conversation yesterday, I received a telephone call from Councilman Riley's aide, Lisa Keir, as to neighborhood complaints about the Lord Baltimore Cleaners at 6801 York Road. The site has an approved building permit (approved by this office on December 12, 1995) however, the complaints are in reference to non-compliance with the restrictions in the order of zoning case #95-54-A (granted November 23, 1994).

Please have one of your inspectors investigate this matter.

Thank You.

C: Lisa Keir
Zoning File #95-54-A
Building Permit #B-205920

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APR 12 1995

LORD BALTIMORE SERVICES

DEVELOPMENT ENGINEERING SECTION
BUREAU OF ENGINEERING AND
CONSTRUCTION

3710 E. Baltimore Street • Baltimore, Maryland 21224-1599 • (410) 732-2700 • (800) 292-1224

April 7, 1995

Baltimore County Public Works
111 West Chesapeake Avenue
Towson, Md. 21204

Re: Lord Baltimore Cleaners 6801 York Rd. Case 95-57-A

Dear Sirs,

Persuent to Avery Harden's letter of April 5, 1995. We have tried to locate our dumpster against our back wall. However, the trash removal company can not service us that way. The only other option, is to place it in an existing parking spot in the rear of the building, or along the side of the building, at 6801 York Road. Our insurance company will not cover a planter which they deem a potential hazard to children climbing it.

Due to the fact we have abandoned our desire for a building permit to complete the small storage shed that started this, we feel this matter is closed.

Signed,

Ken Gore

Ken Gore

cc: Tim Fitts-Enforcement
Avery Harden-Landscape Dept.
Jim Thompson-Supervisor
Tim Kotroco-Commissioner

Laundry • Drycleaning • Uniform Rental Services

2/13/95
ANNESLIE COMMUNITY, INC.

9 February 1995

Mr. Tim Fitts
Zoning Enforcement Section
Baltimore County Zoning Administration & Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. C-95-1295
6801 York Road

Dear Mr. Fitts:

On behalf of the Anneslie Community, Inc., I wish to acknowledge receipt of the Zoning Violation Assignment Record for the referenced property. In light of the fact that this case began with the first hearing in September 1994, a ruling in November 1994 and a relatively simple matter to address, we are eager that the petitioner comply as soon as possible with the mandate defined by Deputy Commissioner Kotroco. We understand the petitioner is in violation of providing a screening plan for the dumpster within the 30 day period of the order, and has not made any effort to remove and prohibit a hazardous parking space which interferes with pedestrian traffic; this spot was painted without zoning approval over a year ago. The cleanliness issues cited can obviously wait for warmer weather in the springtime.

As you can understand, we are concerned about the responsiveness of the petitioner and anxious to see these problems resolved. We do not wish to reproach our commercial neighbor, we only wish to support his attention to the values for safety and pride of the community in which he operates his business, and we live.

Your prompt attention would be sincerely appreciated. We look forward to hearing from you soon, and please call us if we can be of any assistance, 366-0300.

Sincerely,



Carol B. Currotto
Board of Governors, The Anneslie Community, Inc.

cc: Jim Thierer, President, Anneslie Community, Inc.

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FEB 13 1995

MICROFILMED

ZADM

The Anneslie Community has very strong feelings concerning the commercial properties that border its western boundary. It is with these businesses that the first impression of the Anneslie Community rest. Our presence here today reflects our continued concern and determination to play an active role in our neighborhood.

Our primary concerns are traffic, safety and appearance. A dry cleaning business deals with its customer on a short term basis. Customers are rarely in the store longer than 7 to 10 minutes. Parking, though important, is constantly moving in and out of the spaces. For Lord Baltimore Cleaners, this means limited parking does not constitute a major problem. Customers are likely to find someone coming out of spot if one is not readily available. As for the neighborhood who supports the business, monetarily, as well as with our streets, we are faced with greater problems. Constant traffic, cars easing into a busy York Road, as well as normal neighborhood activity (i.e. children on bikes, pedestrians, etc.), make the dry cleaners traffic patterns a real concern. Rush-hour in particular creates problems since returning residents are faced with dry-cleaning customers pulling in and out of available spots so close to other York Rd. traffic.

Based on these concerns, we have no problem with the variance that allows for the reduction of mandated spaces. On-street parking, located on Murdock and York Roads, should amply satisfy the quick turn-over nature of Lord Baltimore Cleaners' parking needs. We would, however, encourage a different configuration that alleviates the traffic congestion on Murdock Rd. within 40 ft of York Rd. First, allow only one spot access from Murdock Rd. This spot would be located in the hollow created behind the existing building and the new addition. This presumably would be used by an employee. We strenuously oppose the change of the 10-ft set-back to street right-of-way that would be required to permit a new spot at the front corner of the building. Far too much pedestrian traffic uses this area, and the spot creates a traffic night-mare. All other parking we propose be directed off the rear of the lot onto Locust Ave. In this way, traffic coming directly from or attempting entry on to York Rd. from Murdock would not face backing traffic from Lord Baltimore customers. Those congestion producing cars would have the far less-used Locust Ave. in which to maneuver. They can then proceed to turn onto Murdock, or, go a block further to Dunkirk Rd. where a traffic light would allow them access to York Rd. in either direction. Though this option would eliminate the Locust Ave. curb and, therefore, two on-street spots, Anneslie feels the pay-off in safety and ease of access is far greater.

Equally important to the parking issue is the site appearance. As noted in the zoning investigators report weeds are overgrown, planters not even minimally maintained, and a dumpster unscreened and far too exposed. We feel strongly that corrections to these problems need to be addressed to gain compliance through zoning. In the short time Lord Baltimore Cleaners have been there, they have illegally removed a tree from the County planter, a temporary sign

RECEIVED

was placed, without permit and over strong community objections, and, as noted in the zoning report, the parking spot at the front corner we so strongly object to has been painted-in, a month ago, before any variance was granted. As evidenced by the lack of proper permit for the rear addition which began this process, we feel that Lord Baltimore Cleaners cannot be trusted with a mere Community agreement. Zoning must act to protect the Anneslie Community.

We specifically request the following:

- * All landscaped planters and grass areas be maintained in an orderly fashion (i.e. kept cut and neat).

- * A ~~planter~~ planter be placed at the western end of the drive-thru to improve the appearance and prevent aggressive customers from parking there. No number of signs or lines will keep a hurried customer from grabbing that location.

- * The dumpster be located near the building and screened.

- * Paving with a proper bib to the street be completed, either on Locust Ave. or Murdock Rd., to prevent weed growth and facilitate the painting of the parking area.

As a community, we are glad to have prospering local businesses that can provide needed services with such convenience. For the most part, the stores located in Anneslie are competitive and fair, with the added advantage of being within walking distance. We are here today to show our interest in providing viable alternatives to the difficulties that these businesses face. But we are also here to attest that we will guard our interests and voice our concerns. We hope that Baltimore County will recognize the merit of our arguments and mandate their adherence.

9.27.94

for the Anneslie Community,
Inc.

by Carol Curran

Carol Curran

Noted by [illegible]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

KEN GORE

3710 E. BALTIMORE ST

BALTIMORE MD 21224



Printed with Soybean Ink
on Recycled Paper

MACROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

CAROL CURROTTO

721 MURDOCK RD

ANNE-LIE COMMUNITY, INC. BALD MD 21212

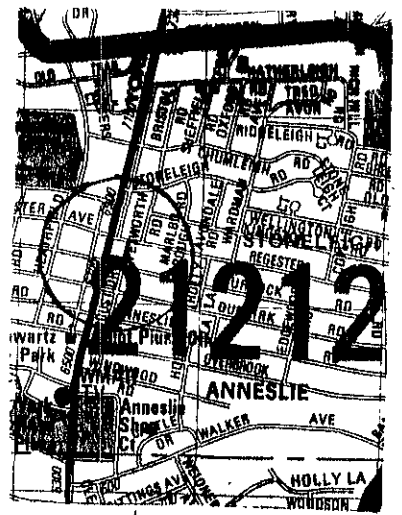


01/13/2012

95-54-A

Residential property
DR 5.5

Residential parking only

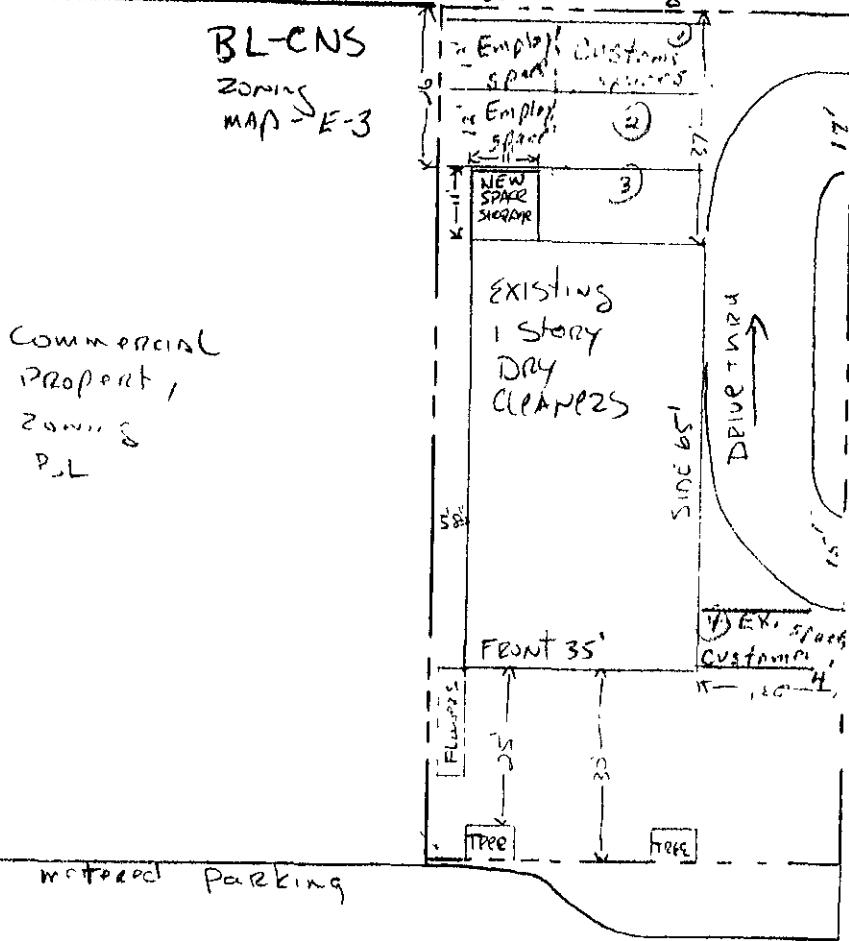


Vicinity map
1" = 2000'

Locust Drive 18' wide
FREE PARKING

BL-CNS
ZONING
MAP - E-3

Commercial
Property,
Zoning
P.L.



Murdock Rd 24' wide

Metered Parking

Commercial
Property
Zoning
BL

Item #55

Metered Parking

6801
YORK RD
Zoned BL-CNS
9th election district
Scale 1" = 20'

PETITIONER'S EXHIBIT 1

Property: 0.1909 acre gross area
Building 2275 Sq. feet
Property Size 132' x 63'
Lot = 8316 Sq. feet
6 - Parking spaces shown
Permal Service establishment
33 spaces per 1000 feet.
6 shown + Drive thru
Spaces permanently striped

MICROFILMED

Total 2396 @ 3/3 per 1000
= 7.9 = 8 spaces required

FAR 2275 ÷ 8316 = .273
NO DR OR ZONING HEARINGS ON SITE
Existing bldg. & parking area
Constructed in late 40's.
No free standing signs -
Wall signs comply with sect 413



Some additional testimony was offered regarding the appearance of the property. It appears that the property is in need of a general clean-up. Testimony was offered regarding the poor condition of two tree planters situated along York Road, which were installed as part of the York Road Streetscape Program. The Petitioners are responsible for maintaining those tree planters in a neat and orderly manner. As a further condition of the relief granted herein, the Petitioner shall be required to plant and maintain a healthy tree and install ground cover within each of those planters to cut down on trash and debris from accumulating therein. In addition to maintaining the tree planters, the Petitioners shall be required to maintain the subject property in a clean and orderly fashion. Accordingly, all trash and debris shall be routinely removed and weeds kept to a minimum. In addition, the dumpster located on this site shall be screened from view to the extent possible. To that end, the Petitioners shall submit a screening plan for review and approval by the Office of Planning and Zoning within thirty (30) days of the date of this Order.

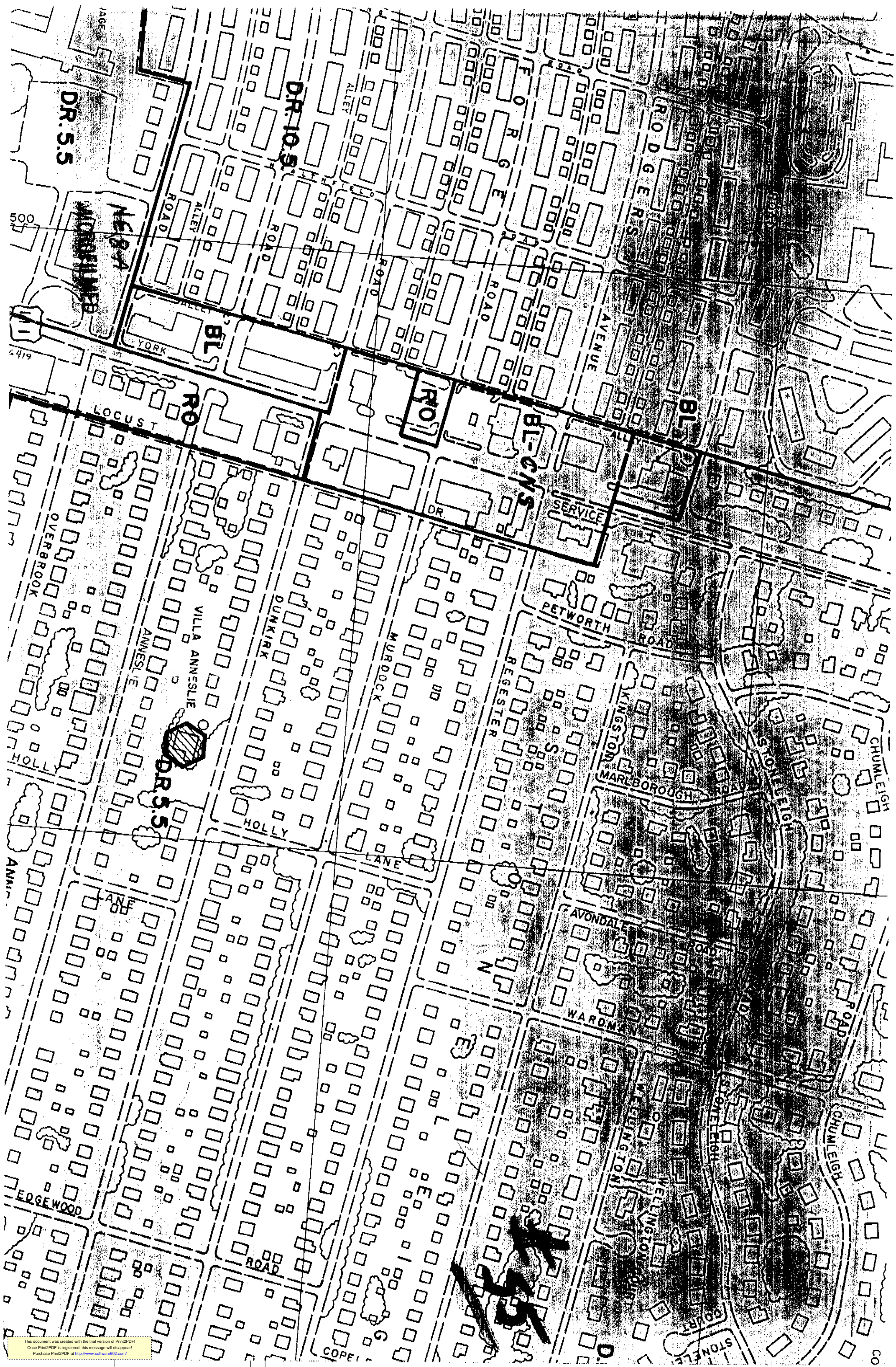
An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

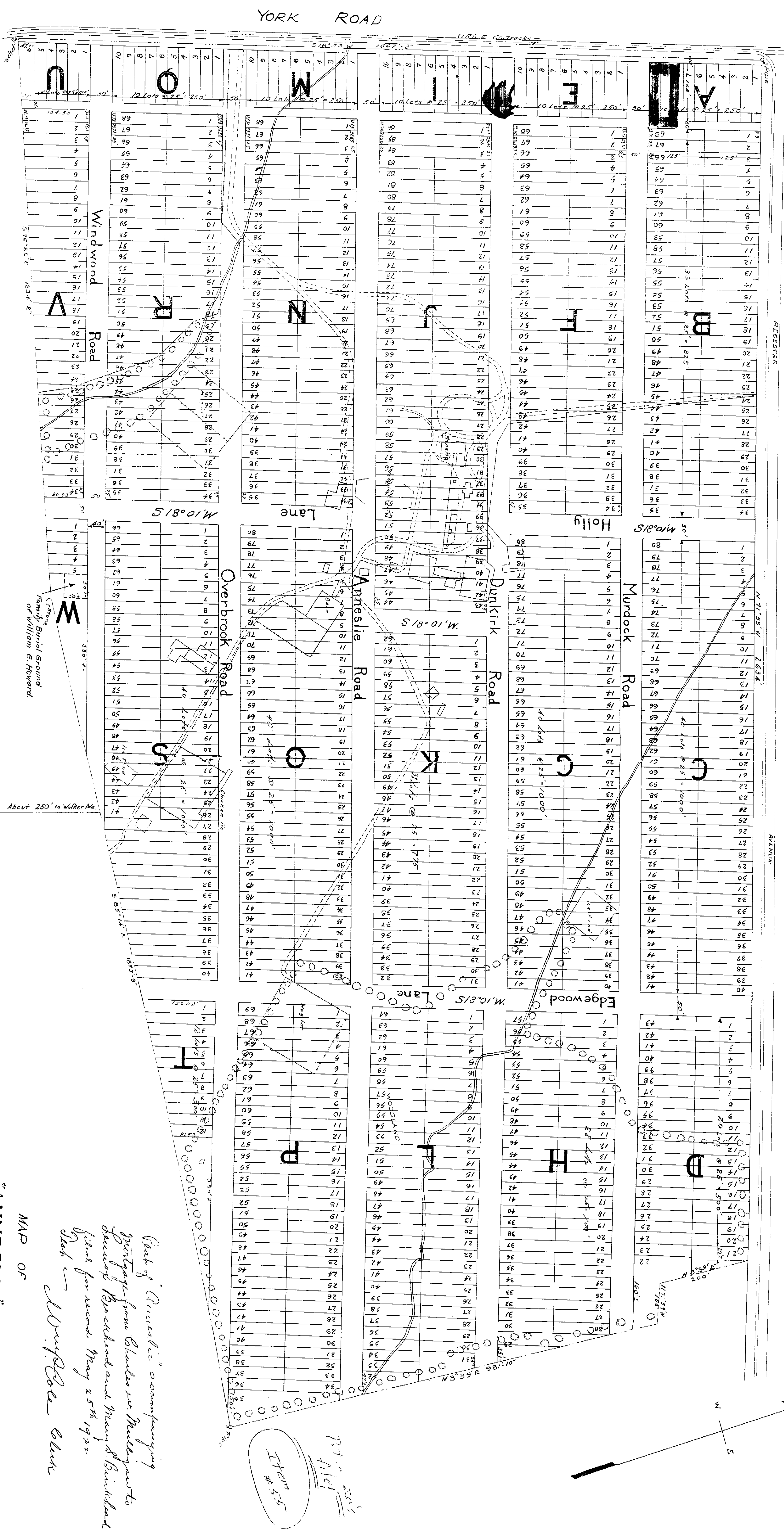
- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

ORDER RECEIVED FOR FILING

Date

By





"ANNESLIE"

STATED IN
BALTIMORE COUNTY, MARYLAND.

Scale: 1 inch = 100 Feet.

Microfilm

Tract surveyed by F.D. Hollander,
County Surveyor of Baltimore County, Dec. 6, 1916

95-54-A

The Streets, Avenues, Alleys, Paths and Roads
shown on this Plat are for the purpose of
description only and are hereby reserved from dedication

IN RE: PETITION FOR VARIANCE
NE/Corner York & Murdock Roads
(6801 York Road)
9th Election District
4th Councilmanic District
David Cohen
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-54-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 6801 York Road, located in the Anneslie area of Towson in Baltimore County. The Petition was filed by the owner of the property, David Cohen, and the Contract Purchaser/Lessee, Ken Gore. The Petitioners seek relief from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit six (6) parking spaces (2 of which are for employee parking) in lieu of the required nine (9) spaces, to permit a street right-of-way setback of 4 feet in lieu of the required 10 feet for an existing space, and to permit the existing parking spaces with no back-up area for dead-end spaces. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Ken Gore, Contract Purchaser/Lessee. Appearing as an interested party in the matter was Carol Currotto, who appeared and testified on behalf of the Anneslie Community, Inc.

Testimony and evidence offered revealed that the subject property is located at the northeast corner of York Road and Murdock Road and consists of a gross area of 0.1909 acres zoned B.L.-C.N.S. The property is improved with a one-story dry cleaning business and associated parking.

Testimony indicated that the Petition was filed to legitimize the addition of a storage area to the rear of the existing building and current parking conditions on the property. Mr. Gore testified that he has operated the Lord Baltimore Dry Cleaners business on the subject property for the past four years. Mr. Gore currently pays rent on the property but has the option to buy at some future date. Presently, there are six parking spaces provided on site, two of which are utilized by employees. Testimony indicated that additional customer parking is available on Murdock Road and Locust Drive, both of which are immediately adjacent to the property.

Ms. Carol Currotto, offering testimony on behalf of the Anneslie Community, Inc., testified and submitted the concerns of her community in writing. Ms. Currotto testified that the community is not opposed to the reduction in the number of parking spaces provided on this site. She testified that the dry cleaning business by its very nature needs only to provide short term parking. Ms. Currotto testified that patrons of the business tend to stop in long enough to either drop off or pick up their laundry. Thus in her opinion, the number of parking spaces provided is sufficient, considering that off-site parking is available on both Murdock Road and Locust Drive. Ms. Currotto testified that the Anneslie Community, Inc. is opposed, however, to parking space No. 4 as it is shown on the site plan identified herein as Petitioner's Exhibit 1. Ms. Currotto stated that the community association believes this space is a hindrance to the free flow of traffic along Murdock Road to York Road and that individuals using this space will pull head-in and back out into traffic on Murdock Road. Ms. Currotto believes that this space should be eliminated and that the Petitioners should be granted a variance for five (5) parking spaces in lieu of the required nine (9). Ms. Currotto also suggested that the

curb along Locust Drive at this site be eliminated to allow customers to access the subject property through Locust Drive.

After considering the testimony offered by Ms. Currotto on behalf of the Anneslie Community, Inc., I concur that parking space No. 4 should be eliminated in its entirety. Accordingly, I will grant a variance for five (5) parking spaces, only, and will deny the request to permit parking space No. 4 to be located 4 feet from the street right-of-way in lieu of the required 10 feet. Furthermore, in place of parking space No. 4 and as a condition of this Order, the Petitioners shall be required to install concrete planters along that area to prevent any customer from using this area as a parking space. The other on-site parking spaces shall be permitted to remain as depicted on Petitioner's Exhibit 1.

As to using Locust Drive as an access point to the subject site, I believe this would not be a feasible solution to the parking situation on this property. I believe the curb should remain in tact along Locust Drive and that parking as depicted on the site plan is acceptable as a parking plan for the Lord Baltimore Cleaners, with the exception of the elimination of parking space No. 4 as noted above.

In addition to the variance requested to the number of parking spaces required for this site, the Petitioners have also requested that the parking spaces have no back-up area for the dead-end spaces shown on the plan. Given the site constraints associated with this property, the relief requested should be permitted. Furthermore, the two employee parking spaces have limited use. Generally speaking, employees will park there in the morning and not leave until the end of the day. Thus, there is not a lot of traffic generated by the use of those two employee spaces.

Some additional testimony was offered regarding the appearance of the property. It appears that the property is in need of a general clean-up. Testimony was offered regarding the poor condition of two tree planters situated along York Road, which were installed as part of the York Road Streetscape Program. The Petitioners are responsible for maintaining those tree planters in a neat and orderly manner. As a further condition of the relief granted herein, the Petitioner shall be required to plant and maintain a healthy tree and install ground cover within each of those planters to cut down on trash and debris from accumulating therein. In addition to maintaining the tree planters, the Petitioners shall be required to maintain the subject property in a clean and orderly fashion. Accordingly, all trash and debris shall be routinely removed and weeds kept to a minimum. In addition, the dumpster located on this site shall be screened from view to the extent possible. To that end, the Petitioners shall submit a screening plan for review and approval by the Office of Planning and Zoning within thirty (30) days of the date of this Order.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance relief sought, as modified herein, is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the granting of this relief will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of November, 1994 that a variance from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit five (5) parking spaces in lieu of the required nine (9) spaces, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED THAT THE Petition for Variance seeking relief from Section 409.6 and 409.8 of the B.C.Z.R. to allow the existing parking spaces with no back-up area for dead-end spaces, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioners shall eliminate parking space No. 4 depicted on Petitioner Exhibit 1 and in its place, install concrete planters to prevent any customers from utilizing this area as a parking space. These planters shall border the drive-thru driveway and shall be located in such a way that they will prevent any vehicles from pulling into this parking space.

3) The Petitioner's shall plant and maintain the two street planters along York Road with trees and ground cover to prevent trash and debris from accumulating inside the planters. The tree planters as well as that area depicted on the site plan as containing flowers shall be regularly maintained and kept free of weeds, trash and debris. In addition, all trash and debris shall be routinely removed from the premises.

4) Within thirty (30) days of the date of this Order, the Petitioners shall prepare and submit for review and approval by the Office of Planning and Zoning a detailed screening plan for the dumpster on the property.

5) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 409.6 and 409.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit six (6) parking spaces (2 of which are for employee parking) in lieu of the required nine (9) spaces, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 409.6 and 409.8 of the B.C.Z.R. to allow a street right-of-way setback of 4 feet in lieu of the required 10 feet for an existing space, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

TKM:bjs

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

November 23, 1994

(410) 887-4386

Mr. Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
NE/Corner York & Murdock Roads
(6801 York Road)
9th Election District
4th Councilmanic District
David Cohen- Petitioner
Case No. 95-54-A

Dear Mr. Gore:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TKM:bjs

cc: Mr. David Cohen
74 River Oaks Circle, Baltimore, Md. 21208

People's Counsel

File

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 6801 York Rd
which is presently zoned B.L.C.N.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6, 409.8 of the required 9; to allow a 4ft. setback to the street right-of-way (for an existing space) in lieu of the required 10ft. 6 to allow existing spaces with no back-up area for dead end spaces. of the Zoning Regulations of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

The existing Building has been there since the 1940's

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee: KEN GORE 732-3700
Type or Print Name
Signature: Ken Gore
Address: 3710 E. Baltimore St.
City: Balto State: MD Zipcode: 21224
Attorney for Petitioner: Timothy M. Kotroco
Type or Print Name
Signature: Timothy M. Kotroco
Address: 74 River Oaks Circle
City: Balto State: MD Zipcode: 21208
Name, Address and phone number of representative to be contacted: Timothy M. Kotroco, 74 River Oaks Circle, Balto MD 21208, 486-9015
Legal Owner(s): David Cohen
Type or Print Name
Signature: David Cohen
Type or Print Name
Signature: Circle
Name, Address and phone number of representative to be contacted: David Cohen, 74 River Oaks Circle, Balto MD 21208, 486-9015
Printed with Soybean Ink on Recycled Paper
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING: 1 hr.
REVIEWED BY: [Signature] DATE: 11-24

95-54-A

55

BEING known and designated as Lot Nos. 9 and 10 in Block "A" as shown on the Plat entitled "Map of ANNESLIE" which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 40. The improvements thereon being known as No. 6801 York Road.

BEING the same lot of ground as described in a Deed dated June 23, 1931 and recorded among the Land Records of Baltimore County in Liber 882, folio 77 from The Franklin Realty and Finance Co., Inc. to Carroll D. Cook. The said Carroll D. Cook having departed this life on or about 4th day of November, 1939 and by virtue of Item Six of his Last Will and Testament dated July 23, 1930, the said Carroll D. Cook did devise and bequeath the fee simple interest in and to the aforesaid property unto Irene A. Triessman, the said Irene A. Triessman having departed this life on or about the 28th day of January 1975 and by virtue of Item Seventh of her Last Will and Testament dated February 14, 1941 did devise and bequeath the subject property unto Union Trust Company of Maryland, Trustee with full power.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-54-A (Item 55)
6801 York Road NEC
York and Mardock Roads
9th Election District
4th Councilmanic
Legal Owner(s): David Cohen
Contract Purchaser(s): Ken Gore
HEARING: TUESDAY, SEPTEMBER 27, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to allow 6 existing parking spaces (2 of which are for employee parking) in lieu of the required 9 to allow a 4-foot setback at street right-of-way for an existing space in lieu of the required 10 feet; and to allow existing spaces with no back-up area for dead-end spaces.

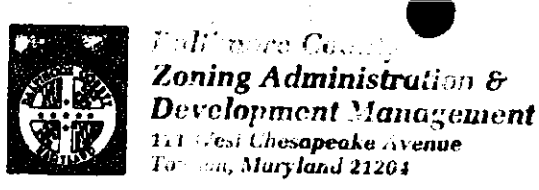
LAWRENCE E. SCHMIDT, Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
6288 August 25.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/26, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/25, 1994.

THE JEFFERSONIAN,
A. H. Emerson
LEGAL AD. - TOWSON



Account: R-001-6150

Date: 8-11-94

Owner: David Cohen

Site: 6801 York Rd.

Item Number: 55

Taken in by: JH

Commercial Variance: 250.00

Sign & Posting: 35.00

Total: 285.00

Please Make Checks Payable To: Baltimore County

111 West Chesapeake Avenue
Towson, MD 21204



(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 55

Petitioner: Cohen

Location: 6801 York Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Ken Gore

ADDRESS: 3710 E. Baltimore ST
BALTO, MD, 21224

*PHONE NUMBER: 732-2700

*MUST BE SUPPLIED

TO: PUTZEMT PUBLISHING COMPANY
August 25, 1994 Issue - Jeffersonian

Please forward billing to:

Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224
732-2700

NOTICE OF HEARING

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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

AUG. 19 1994

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Arnold Jablon

Arnold Jablon
Director

cc: David Cohen
Ken Gore

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEP. 07 1994

Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224

RE: Item No. 55, Case No. 95-54-A
Petitioner: David Cohen/Ken Gore

Dear Mr. Gore:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 11, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby assumed zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:ggg

Printed with Soybean Ink on Recycled Paper

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: August 29, 1994
Zoning Administration and Development Management

FROM: *Robert W. Bowling*, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 29, 1994
Item No. 55

The Developers Engineering Section has reviewed the subject zoning item. Parking for this site should be buffered from the street to the extent possible.

RWB:aw



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-19-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 455 (JSS)

95-54

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Gwen Stephens, ZADM
FROM: Jeffrey Long
Office of Planning & Zoning
SUBJECT: Zoning Advisory Comments

DATE: August 26, 1994

Please be advised that additional time is required to review the following Petitions:
ITEM NOS. 41, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, and 61.
Please contact me if you have any questions or require additional information.

Jeffrey Long
Jeffrey Long

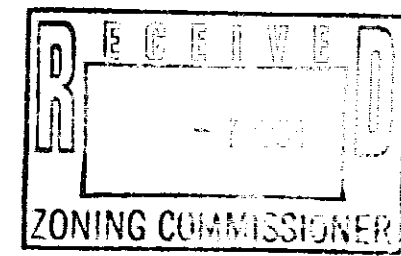
JL:bjs

RECEIVED
AUG 29 1994
ZADM

STEPHENS, JL/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning
DATE: August 30, 1994
SUBJECT: 6801 York Road



INFORMATION:
Item Number: 55
Petitioner: David Cohen
Property Size: _____
Zoning: B.L.-A.S.
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The site in question is within the Towson Community Plan area, along the York Road corridor in an area designated as Urban Center/Employment area. The adjacent residentially zoned property is within a Community Conservation area -- Outer Neighborhood.

It appears that the Variances requested are needed due to a proposed addition on the rear of the building; the parking spaces setback four feet from the right-of-way in lieu of ten feet are existing.

The tree planters along the York Road frontage were part of a county streetscape program. The property owner should maintain the two planters, keeping them free of weeds, trash and debris. A ground cover planted in the planters would help eliminate some problems, but routine maintenance is still needed. The grassy strip along Murdock Road is not well maintained and should be cut and weeded.

There is a large dumpster at the southeast corner of the parking lot and Murdock Road that is not shown on the plan and is not screened. A screening detail should be provided.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Currotto*

PK/JL:lw

ZAC.55/PZONE/ZAC1

Pg. 1

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

September 9, 1994

(410) 887-3353

Ken Gore
3710 E. Baltimore Street
Baltimore, Maryland 21224

RE: Case No. 95-54-A, Item No. 55
Petitioner: David Cohen/Ken Gore

Dear Mr. Gore:

Enclosed are copies of comments received from Office of Planning and Zoning on September 7, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Joyce Watson

Enclosure

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

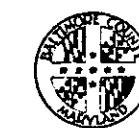
TO: Zoning Commissioner
Deputy Zoning Commissioner
FROM: John J. Sullivan
Planner II
SUBJECT: Commercial Variance Petition
Item 55

August 11, 1994

Mr. Kenneth Gore came in today as the applicant for this petition. I informed Mr. Gore that sealed site plans and sealed descriptions were required as stated in our commercial booklet hand-out which Mr. Gore had a copy. Mr. Gore requested that his paperwork be submitted as is.

JJS:kj

Baltimore County Government
Department of Public Works



111 West Chesapeake Avenue
Towson, MD 21204-4604

March 17, 1995

Mr. Ken Gore
3710 E. Baltimore Street
Baltimore, MD 21224

Reference: Lord Baltimore Cleaners
6801 York Road
Landscape Requirements
Case #95-54-A

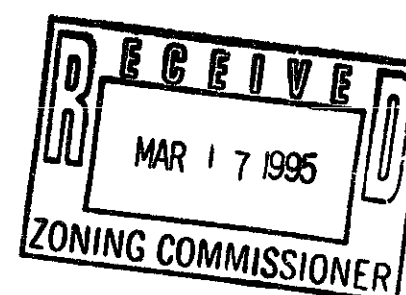
Dear Mr. Gore:

This is a follow up to our recent phone conversation.

Mr. Timothy Fitts, our Zoning Inspector for this case, asked me to evaluate the status of compliance with condition numbers 2, 3, 4, and 5 of Case #95-54-A.

After consulting with you, Timothy Fitts, the Zoning Commissioner - Mr. Timothy M. Kotroco, Ms. Carol B. Currotto of the Anneslie Community Homeowner Association, and the subject Zoning Order, it is determined that the following actions would satisfy the requirements.

1. Relocate the dumpster up against the rear of the building as we discussed. Screening it will not be feasible as access would be hindered. If it is painted a dark, neutral color as we discussed and no debris is placed around it, it should look "OK". The Zoning Commissioner said that placing the dumpster in the parking space is "OK" and no additional paper work is needed.
2. The issue of blocking access to parking space #4 can be resolved easily and inexpensively. Have Genstar drop a decorative boulder there or construct a simple timber pyramid. Trying to keep a plant alive in a pot would be more trouble than it is worth.



Mr. Ken Gore
Page 2
March 17, 1995

We all appreciate your cooperation in this matter.

Respectfully yours,

E. Avery Harden

E. Avery Harden, R.L.A.
Landscape Coordinator
Developers Engineering Section

EAH:jrb

cc: Mr. Timothy Fitts, Zoning Enforcement
Mr. Timothy Kotroco, Zoning Commissioner
Ms. Carol B. Currotto, Anneslie Community, 721 Murdock Road, Baltimore, MD 21212
File

EAH10

Baltimore County Government
Department of Public Works



111 West Chesapeake Avenue
Towson, MD 21204-4604

CERTIFIED MAIL

April 5, 1995

Mr. Ken Gore
3710 E. Baltimore Street
Baltimore, MD 21224

Reference: Lord Baltimore Cleaners
6801 York Road
Zoning Order Conformance
Case #95-54-A

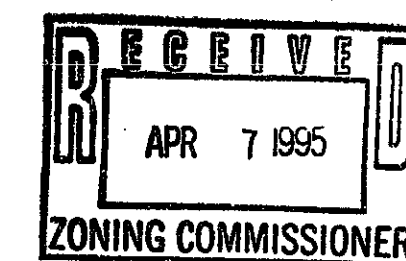
Dear Mr. Gore:

This is a follow up of this office's March 17, 1995 letter to you.

This office failed to put a deadline on the required conformance. The Zoning Order also required several additional items this office failed to specify. The deadline is now set for May 1, 1995. The following conditions must be met.

1. Locate the dumpster up against the rear of the building as we discussed and as you already agreed to do. It should be painted black or dark green as you already suggested you would do.
2. Eliminate the markings on the pavement and building of the plan designated "Parking Space #4". A large decorative planter must be placed in the parking space in order to block vehicle access to it. The planter's dimensions must be a minimum of 3'x3'x21/2". English Ivy or some other vigorous evergreen planting must be installed and maintained in the planter.

The planter requirement is part of the subject Zoning Order and supersedes our previous recommendation of a "railroad tie pyramid" or "boulder".



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on Recycled Paper

Mr. Ken Gore
Page 2
April 5, 1995

Again, the deadline for conformance with the Order for Case #95-54-A is May 1, 1995. We are hopeful for your voluntary compliance in this matter.

Respectfully yours,

E. Avery Harden

E. Avery Harden, R.L.A.
County Landscape Architect

EAH:jrb

cc: Timothy Fitts, Zoning Enforcement
Timothy Kotroco, Zoning Commissioner
File

EAH16

RE: PETITION FOR VARIANCE *
6801 York Road, NEC York and Murdock *
Roads, 9th Election District, 4th *
Councilmanic *
David Cohen *
Petitioners *
* * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-54-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to David Cohen, 74 River Oaks Circle, Baltimore, MD 21208, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy Fitts, Zoning Inspector Date: May 23, 1995
Zoning Enforcement
Zoning Administration & Development
Management Office

FROM: E. Avery Harden, Landscape Coordinator
Developers Engineering Section
Department of Public Works

SUBJECT: Lord Baltimore Cleaners - Noncompliance
6801 York Road
Case #95-54-A

Attached is a letter to Mr. Gore of the subject case laying out my recommendation as to how the subject issue might be resolved. Attached also is a letter from Mr. Gore back to me with reasons why he cannot or does not intend to accommodate my suggestions.

I recommend that this case be put before the Zoning Commissioner again for a fresh clarification on how to proceed.

E. Avery Harden
E. Avery Harden
Landscape Coordinator

EAH:jrb

Enclosures (2)

cc: File

EAH35

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: January 5, 1996

TO: James H. Thompson
Code Enforcement Supervisor

FROM: John J. Sullivan, Jr.
Planner II
Zoning Review

SUBJECT: Zoning Case #95-54-A (Building Permit #B-205920)

Per our conversation yesterday, I received a telephone call from Councilman Riley's aide, Lisa Keir, as to neighborhood complaints about the Lord Baltimore Cleaners at 6801 York Road. The site has an approved building permit (approved by this office on December 12, 1995) however, the complaints are in reference to non-compliance with the restrictions in the order of zoning case #95-54-A (granted November 23, 1994).

Please have one of your inspectors investigate this matter.

Thank You.

C: Lisa Keir
Zoning File #95-54-A
Building Permit #B-205920

RECEIVED

APR 12 1995

LORD BALTIMORE
SERVICES

DEVELOPMENT ADMINISTRATION
BUREAU OF PLANNING AND
CONSTRUCTION

3710 E. Baltimore Street • Baltimore, Maryland 21224-1599 • (410) 732-2700 • (800) 292-1224

April 7, 1995

Baltimore County Public Works
111 West Chesapeake Avenue
Towson, Md. 21204

Re: Lord Baltimore Cleaners 6801 York Rd. Case 95-57-A

Dear Sirs,

Persuent to Avery Harden's letter of April 5, 1995. We have tried to locate our dumpster against our back wall. However, the trash removal company can not service us that way. The only other option, is to place it in an existing parking spot in the rear of the building, or along the side of the building, at 6801 York Road. Our insurance company will not cover a planter which they deem a potential hazard to children climbing it.

Due to the fact we have abandoned our desire for a building permit to complete the small storage shed that started this, we feel this matter is closed.

Signed,
Ken Gore
Ken Gore

cc: Tim Fitts-Enforcement
Avery Harden-Landscape Dept.
Jim Thompson-Supervisor
Tim Kotroco-Commissioner

Laundry • Drycleaning • Uniform Rental Services

ANNESLIE COMMUNITY, INC.

9 February 1995

Mr. Tim Fitts
Zoning Enforcement Section
Baltimore County Zoning Administration & Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. C-95-1295
6801 York Road

Dear Mr. Fitts:

On behalf of the Anneslie Community, Inc., I wish to acknowledge receipt of the Zoning Violation Assignment Record for the referenced property. In light of the fact that this case began with the first hearing in September 1994, a ruling in November 1994 and a relatively simple matter to address, we are eager that the petitioner comply as soon as possible with the mandate defined by Deputy Commissioner Kotroco. We understand the petitioner is in violation of providing a screening plan for the dumpster within the 30 day period of the order, and has not made any effort to remove and prohibit a hazardous parking space which interferes with pedestrian traffic; this spot was painted without zoning approval over a year ago. The cleanliness issues cited can obviously wait for warmer weather in the springtime.

As you can understand, we are concerned about the responsiveness of the petitioner and anxious to see these problems resolved. We do not wish to reproach our commercial neighbor, we only wish to support his attention to the values for safety and pride of the community in which he operates his business, and we live.

Your prompt attention would be sincerely appreciated. We look forward to hearing from you soon, and please call us if we can be of any assistance, 366-0300.

Sincerely,

Carol B. Currotto
Carol B. Currotto
Board of Governors, The Anneslie Community, Inc.

cc: Jim Thierier, President, Anneslie Community, Inc.

RECEIVED
FEB 13 1995

ZADM

The Anneslie Community has very strong feelings concerning the commercial properties that border its western boundary. It is with these businesses that the first impression of the Anneslie Community rest. Our presence here today reflects our continued concern and determination to play an active role in our neighborhood.

Our primary concerns are traffic, safety and appearance. A dry cleaning business deals with its customer on a short term basis. Customers are rarely in the store longer than 7 to 10 minutes. Parking, though important, is constantly moving in and out of the spaces. For Lord Baltimore Cleaners, this means limited parking does not constitute a major problem. Customers are likely to find someone coming out of spot if one is not readily available. As for the neighborhood who supports the business, monetarily, as well as with our streets, we are faced with greater problems. Constant traffic, cars easing into a busy York Road, as well as normal neighborhood activity (i.e. children on bikes, pedestrians, etc.), make the dry cleaners traffic patterns a real concern. Rush-hour in particular creates problems since returning residents are faced with dry-cleaning customers pulling in and out of available spots so close to other York Rd. traffic.

Based on these concerns, we have no problem with the variance that allows for the reduction of mandated spaces. On-street parking, located on Murdock and York Roads, should amply satisfy the quick turn-over nature of Lord Baltimore Cleaners' parking needs. We would, however, encourage a different configuration that alleviates the traffic congestion on Murdock Rd. within 40 ft of York Rd. First, allow only one spot access from Murdock Rd. This spot would be located in the hollow created behind the existing building and the new addition. This presumably would be used by an employee. We strenuously oppose the change of the 10-ft set-back to street right-of-way that would be required to permit a new spot at the front corner of the building. Far too much pedestrian traffic uses this area, and the spot creates a traffic night-mare. All other parking we propose be directed off the rear of the lot onto Locust Ave. In this way, traffic coming directly from or attempting entry on to York Rd. from Murdock would not face backing traffic from Lord Baltimore customers. Those congestion producing cars would have the far less-used Locust Ave. in which to maneuver. They can then proceed to turn onto Murdock, or go a block further to Dunkirk Rd. where a traffic light would allow them access to York Rd. in either direction. Though this option would eliminate the Locust Ave. curb and, therefore, two on-street spots, Anneslie feels the pay-off in safety and ease of access is far greater.

Equally important to the parking issue is the site appearance. As noted in the zoning investigators report weeds are overgrown, planters not even minimally maintained, and a dumpster unscreened and far too exposed. We feel strongly that corrections to these problems need to be addressed to gain compliance through zoning. In the short time Lord Baltimore Cleaners have been there, they have illegally removed a tree from the County planter, a temporary sign

was placed, without permit and over strong community objections, and, as noted in the zoning report, the parking spot at the front corner we so strongly object to has been painted-in, a month ago, before any variance was granted. As evidenced by the lack of proper permit for the rear addition which began this process, we feel that Lord Baltimore Cleaners cannot be trusted with a mere Community agreement. Zoning must act to protect the Anneslie Community.

We specifically request the following:

- * All landscaped planters and grass areas be maintained in an orderly fashion (i.e. kept cut and neat).
- * A ~~planter~~ planter be placed at the western end of the drive-thru to improve the appearance and prevent aggressive customers from parking there. No number of signs or lines will keep a hurried customer from grabbing that location.
- * The dumpster be located near the building and screened.
- * Paving with a proper bib to the street be completed, either on Locust Ave. or Murdock Rd., to prevent weed growth and facilitate the painting of the parking area.

As a community, we are glad to have prospering local businesses that can provide needed services with such convenience. For the most part, the stores located in Anneslie are competitive and fair, with the added advantage of being within walking distance. We are here today to show our interest in providing viable alternatives to the difficulties that these businesses face. But we are also here to attest that we will guard our interests and voice our concerns. We hope that Baltimore County will recognize the merit of our arguments and mandate their adherence.

9.27.94
for the Anneslie Community,
Inc.
by Carol Currotto

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

KEN GORE

ADDRESS

3710 E. BALTIMORE ST
BALTIMORE MD 21224

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

CAROL CURRANO

ADDRESS

721 MURDOCK RD
BALTIMORE MD 21224

Printed with Soybean Ink
on Recycled Paper



95-54-A

Residential property
DR 5.5

Locust Drive 18' wide

BL-CNS
Zoning
MAP E-3

Commercial
Property
Zoning
P-1

Metroad Parking

6801
York Rd
Point BL-CNS
4th St. to Locust Dr.
Scale 1"=25'

FAR 2275 + 2316 = 4591
NO ORANGE ZONING BEARING ON SITE
Existing bldg. & parking area
Constructed in late '40's.
No fire standing signs
Wall signs comply with Sect 413

PETITIONER'S
EXHIBIT 1

Total 2396 sq ft
= 7.9 = 8 spaces required



VICINITY MAP
1" = 2000'

Murdock Rd 24' wide

Metroad Parking

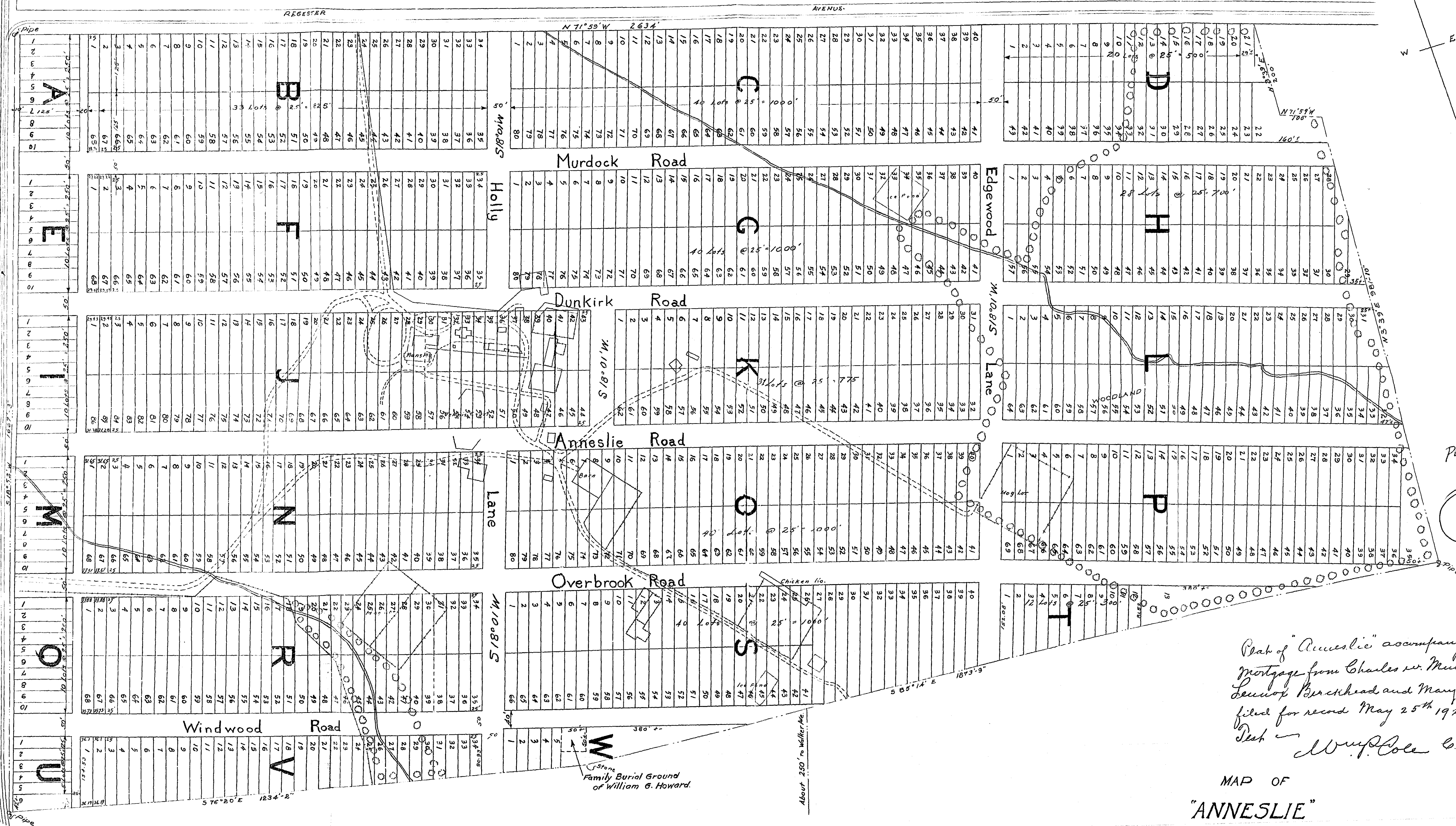
Commercial
Property
Zoning
P-1

Item
#55

Metroad Parking

Property: 0.1909 acre gross area
Building 2275 sq. feet
Property size 132' x 63'
Lot = 8316 sq. feet
6+ parking spaces shown
Residential Service Establishment
23 spaces per 1000 sq. ft.
6 shown + Drive thru
spaces permanently signed

YORK ROAD



Put in 20's
file!
Item #55

Part of "Anneslie" accompanying
mortgage from Charles W. Mulligan to
Lemuel Birchhead and Mary S. Birchhead.
filed for record May 25th 1922
Test *Wm. P. Cole* Clerk

MAP OF
"ANNESLIE"
SITUATED IN
BALTIMORE COUNTY, MARYLAND.
Scale: 1 inch = 100 Feet.

95-54-A

The Streets, Avenues, Alleys, Paths and Roads
shown on this Plat are for the purpose of
description only and are hereby reserved from dedication